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GUN LAKE TRIBE – DEVELOPMENT DEPARTMENT

Buskirk Creek Crossing Request for Proposal for Engineering Services

Part of the NW ¼ of Section 19 Wayland Township, Allegan County, Michigan

DATE ISSUED: Friday, July 10th, 2020

DATE DUE: Thursday, August 6th, 2020, 4PM

CONTACT: Erin Maze – Project Coordinator
Gun Lake Tribe
Development Department
2872 Mission Dr.
Shelbyville, MI 49344

erin.maze@glt-nsn.gov
(269) 397-1780

I. Introduction

The Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians, aka, the Gun Lake Tribe (The Tribe), a federally recognized Indian Tribe, as part of the Tribal Transportation Program (TTP) under the Bureau of Indian Affairs (BIA), will construct a roadway to cross Buskirk Creek on federal trust land. The Tribe hereby invites the submission of proposals for the engineering of a roadway and creek crossing.

II. Project Description

The Tribe is seeking competitive proposals from qualified firms to engineer an approximately quarter-mile median-separated boulevard to connect from 130th Avenue south to the existing ring boulevard around the Gun Lake Casino. This project includes an arched culvert with stone facing over Buskirk creek. This will improve access to land north of the casino and provide emergency egress. Some preliminary conceptual work has been performed.

In May 2019, the US Army Corps of Engineers (USACE) performed a delineation and jurisdictional determination for the wetland, pond, and Buskirk Creek, in the area of the planned road. The USACE determined that the creek, pond, and wetland are regulated by provisions of the Clean Water Act. Federal law allows dredging, filling and other activities in these regulated areas only when authorized by a USACE permit.

III. Scope of Work

The objective is to ready the road project for future construction. As this project will use BIA funds, the engineering work must meet the standards and requirements contained in the Tribal Transportation Program Delivery Guide, as may be amended. – Review of this document is recommended.

- Complete NEPA Environmental Assessment Questionnaire
- Complete required Environmental Review and Permits, including:
 - Secure Part 404 Permit from Army Corp of Engineers and any other necessary permits
 - Assist with wetland mitigation process and secure mitigation bank credits
 - Section 106 Review
 - Section 107 of Endangered Species Act and other review/permits that may be required
- Develop project package including all of the construction details, provisions, permits, agreements, conditions, and certifications required to administer a construction project
 - Create plans, specifications, and estimates following the design standards listed in 25CFR Part 170 Appendix B to Subpart D and 25CFR Subsection 170.454.
 - Survey the existing site including, but not limited to: property lines, roads, road access, utilities, trees, and all structures within 500-feet of the proposed roadways
 - Develop site plan
 - Survey sealed Right-of-Way plat
 - Utility layout and design to integrate utilities as approved
 - Coordinate with existing utilities
 - Develop a storm water management plan
 - Design boulevard and bridge per applicable AASHTO, FHWA, 23 CFR, 23 USC, DOT, and MUTCD design standards.
 - Provide geotechnical soil assessment based on best practices
 - Design boulevard and bridge in conjunction with existing reports and recommendations on aesthetics and wetland mitigation
 - Engineer sidewalks, lighting, trails, and landscaping
 - Consult with Tribe’s Environmental Department on preferred and prohibited landscape species
 - Deliver 30/75/100% Review Submittals
- Assist in preparation of RFP for construction firms and review of proposals

IV. Proposal Standard

Applicants are required to submit an original proposal clearly marked “Buskirk Creek Crossing”. Each page of the proposal must clearly identify the name of the company submitting the proposal. Applicants are required to submit an original proposal and all other required documents, along with five (5) copies in a sealed envelope clearly marked “RFP – ROAD ENGINEERING”. Each page of the proposal must clearly identify what firm the proposal is from. Mail or deliver proposals to:

Attn: Erin Maze
Gun Lake Tribe
Development Department
2872 Mission Dr.
Shelbyville, MI 49344

Proposals will be accepted beginning on July 10th, 2020 and will be accepted until Thursday, August 6th, 2020 at 4:00 p.m. Sealed proposals will be opened the following morning at 9:00 a.m. Applicants are required to send an electronic copy via email to erin.maze@glt-nsn.gov between 10:00 a.m. and 5:00 p.m., Friday, August 7th. Electronic copies delivered prior will disqualify the applicant. The award of this project is anticipated in September 2020.

Direct all questions to Erin Maze no later than three (3) days prior to the required submittal date, unless deadline is waived by the Owner.

Note:

- Firms submitting proposals by First Class Mail should allow sufficient time for delivery to ensure receipt by the date/time as specified above.
- e-mailed electronic proposals will not be accepted prior to opening the sealed bids.
- Proposals received after the deadline will be returned to the applicant unopened and will not be accepted.

All proposal pricing must remain firm for a period of ninety (90) days following the bid opening, submission, and the proposal must contain a signed statement to this effect.

ADDENDA INTERPRETATIONS

If it becomes necessary to revise any part of this RFP said addenda will be uploaded to the Tribe's website. The Tribe is not bound by any oral representations, clarifications, or changes made in the RFP by staff or others, unless such clarifications or change is provided in written addendum from the Tribe and uploaded on the Tribe's website.

V. Request for Proposal Documents

Applicants should carefully examine Request for Proposal documents, including all attachments, to familiarize themselves with applicable requirements prior to submitting a proposal. Applicants must sign a non-disclosure agreement (NDA) before the Tribe will share documents and studies completed to date, including:

- Creek Crossing Report, as redacted

The applicant is responsible for maintaining the confidentiality of this information.

Prior to submitting a proposal, each applicant should familiarize themselves with all existing conditions, including the site, applicable laws, codes, ordinances, rules, and regulations affecting their work.

VI. Proposal Content

Proposals not to exceed 25 pages (resumes and requested documentation do not count toward the page limit and should be included in an appendix). All proposals must include the following information:

PART 1 | COVER LETTER/EXECUTIVE SUMMARY

In no more than three (3) pages, provide a short, clear summary that can be shared with Tribal leadership. The Cover Letter and Executive Summary shall include:

1. The names of the key members of the consultant team.
2. Identification of subcontractors (if applicable).
3. The mailing address, telephone number, email and the name of the main point of contact for the consultant team.
4. A summary of the consultant's road design experience and qualifications and the significant advantages to selecting the consultant.
5. Prior experience with Tribes, if applicable.

PART 2 | EXPERIENCE AND QUALIFICATIONS OF CONSULTANT/TEAM MEMBERS

Provide detail relating to the experience and qualifications of the members of the team, including an organizational chart showing all key personnel who will be assigned to this project. Submit brief resumes demonstrating the training, experience, years of service with the firm, and other qualifications of the key personnel who will be assigned to this project.

Consultant should further document expertise by including the information regarding the following:

1. Experience of proposed consultant team working together as a team on projects of similar scope, budget, and complexity. List up to five (5) projects. If personnel completed a project of similar scope while at a different company, this must be clearly identified. Link key personnel to listed projects. If a project is listed and key personnel are no longer with the firm, this should be noted.
2. Demonstrate understanding of project characteristics
3. Adequate staff to perform the work
4. Knowledge of local conditions, where appropriate
5. Any other information that would assist the review team in understanding the consultant team's capacity to efficiently and effectively complete the project
6. Similar information must be provided for all sub-consultants.

PART 3 | UNDERSTANDING OF PROJECT SCOPE & DETAILED WORK PLAN

Demonstrate understanding of the project's scope and challenges. In a proposed work plan, outline methodology, logistics, and deliverables capable of meeting the goals outlined in the scope.

Demonstrate capacity to deliver comprehensive and professional engineering services. Respondents should draw from previous experience and demonstrated competence to articulate how their capabilities are distinct, comprehensive, and add value.

PART 4 | COMMITMENT TO PROJECT BUDGET

Provide a lump sum fixed fee for the project. The lump sum fixed fee shall include and clearly identify costs associated with sub-consultants. Include cost per task and the personnel hours assigned to tasks during the course of the project. Include an hourly fee schedule for the team and any sub-consultants.

Approximate Example:

	<i>Personnel A</i>	<i>Personnel B</i>	<i>Total Hours</i>	<i>Cost/Task</i>
	\$ Hourly Rate	\$ Hourly Rate		
<i>Task 1</i>				\$ sum subtasks
<i>Subtask 1.0</i>	X hours	X hours	X hours	\$
<i>Subtask 1.1</i>	X hours	X hours	X hours	\$
<i>Task 2</i>				\$ sum subtasks
	Total Hours	Total Hours	Total Hours	

Also include acknowledgement that the respondent can effectively complete this project within the budget indicated. Clearly explain the method and process the respondent will use to ensure the project is within budget and that the Tribe will be getting the best value within the budgeted amount.

PART 5 | DELIVERY SCHEDULE AND TIMELINE

Completion of this project in a timely fashion will be an important factor to the Tribe. Provide a Gantt chart or schematic representation of the delivery timeline with pertinent milestones and events.

Specific dates should be used assuming an award to this RFP. Consultant shall be prepared to begin work within two (2) weeks of the Notice to Proceed. Indicate in the proposed scheduling the necessary involvement and various decision points required of the Tribe. The Consultant must meet with Tribal Staff and, at a minimum, conduct meetings on the following occasions:

- A. Project Kick-off meeting
- B. Biweekly progress updates
- C. 30% submittal review
- D. 75% submittal review
- E. Final Draft presentation to the Development Authority Board
- F. Final Plan submittal presentation to Development Authority Board

The following requirement must be met:

A State of Michigan licensed civil engineer must certify (seal) on the project plans and specifications that they meet applicable health and safety standards according to 25 CFR § 170.454 .

A certification letter must be provided to the Tribe.

PART 6 | REFERENCE REVIEW

The review team will conduct a background reference review of each respondent. Please include the following information for three (3) projects that the proposed consultant team worked on together:

1. Name of the project/study
2. Location of the project
3. Name, title, and contact information for the client
4. Project budget
5. Date of completion of the project

PART 7 | PRE-QUALIFICATION

1. Identify and explain any resolved or ongoing legal proceeding, or pending legal proceeding, i.e. arbitration, complaint, or court action, filed against your company or any individual related to the work of your company for any project within the last five (5) years.
2. In order to submit a Proposal, the applicant and key staff assigned to the project must be licensed under all applicable laws in the State of Michigan. Identify if principal is licensed to practice engineering and if the principal or any key personnel have had their license suspended. Include copies of the licenses.
3. Include copy of insurance to protect the Gun Lake Tribe from loss. The following minimum limits shall be met:

A. Professional Liability (Errors and Omissions) Coverage	Two million dollars (\$2,000,000.00) each occurrence
B. Bodily Injury and Property Damage	One million dollars (\$1,000,000.00) each occurrence; two million dollars (\$2,000,000.00) aggregate
C. Commercial Automobile Coverage including owned, non-owned, leased and hired vehicles (if used on Gun Lake Tribe property)	One million dollars (\$1,000,000.00) combined single limit for each accident
D. Excess coverage above the General Liability and Auto lines	Five million dollars (\$5,000,000.00)
E. Workers' Compensation Coverage	In accordance with State of Michigan requirements at the time of proposal
F. Products or Completed Operations	One million dollars (\$1,000,000.00) each occurrence; two million dollars (\$2,000,000.00) aggregate

The Contractor's insurance outlined in the contract will be primary and non-contributory.

Gun Lake Tribe will be named as Additional Insured on the contractor's General Liability and Auto Liability policies

The Contractor's workers compensation policy shall include a Waiver of Subrogation in favor of Gun Lake.

Any deductible or self-insured retention must be disclosed and any claim payments falling within the deductible shall be the responsibility of the Contractor. The Tribe requires that these aggregate limits be maintained by the Consultant as required.

The Contractor shall require all subcontractors to carry the same forms and minimum coverages. Evidence of these coverages must be provided to the Tribe prior to the contractor or subcontractor coming onto Tribal lands.

A sample certificate of insurance will be provided to the applicant. The applicant will be required to complete and submit a certificate of insurance along with the required endorsements upon award of the project and prior to commencement of services.

VII. Terms of Contract

A non-disclosure agreement will be required for the selected applicant and any subcontractors. Such agreement must cover all principals, key staff and all support staff who may encounter documents, reports, graphics or other components related to this project.

Proposals will be accepted from non-Indian as well as Indian-owned enterprises or organizations. The Gun Lake Tribe will provide preference to all qualified Indians and Indian-owned enterprises or organizations in accordance with applicable law.

Any bidder seeking Indian Preference in this award must provide evidence that it is not less than 51 percent Indian owned and controlled. If you are seeking Indian preference, please contact the Chairperson of the Indian Preference Committee, Amanda Sprague at (269) 397-1630 to receive a prequalification packet.

The Gun Lake Tribe reserves the right, in its own discretion, to accept or reject any and all responses, to waive any irregularity and/or informality in any response and to request and receive additional information from any Contractor when such acceptance, rejection, waiver or request is determined to be in the best interest of the Tribe.

The Gun Lake Tribe will enter into a contract with the Contractor that best preserves the sovereign immunity of the Tribe.

The Gun Lake Tribe reserves the right, despite the application of Indian Preference as noted above, to select the Contractor with the proposal that the Tribe believes, in its sole and absolute discretion, provides the greater benefit in light of the estimated cost.

The Gun Lake Tribe reserves the right to decline to select a Contractor for the project.

The contract will not create an employment relationship. The Contractor performing work under the contract will not be employees of the Tribe.

The retention and approval of any subcontractor shall not diminish or reduce Contractor's obligations and duties under the contract and shall not create any obligations on the part of the Tribe to the subcontractor.

Any documents resulting from the contract will be the property of the Tribe.

VIII. Documentation

Failure to provide sufficient information for the evaluation criteria will result in the loss of points or being deemed unresponsive. The Tribe reserves the right to verify the validity of all information provided.

IX. Evaluation Process

Award of the contract resulting from this RFP will be based upon the most responsive and responsible firm whose offer will be the most advantageous to the Gun Lake Tribe in terms of cost, functionality, and other factors.